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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

KIRK KEILHOLTZ and KOLLEEN KEILHOLTZ for
 themselves and on behalf of those similarly
 situated

Plaintiff(s)

v.

SUPERIOR FIREPLACE COMPANY, LENNOX HEARTH
 PRODUCTS, INC., LENNOX INTERNATIONAL, INC.,
 DOES 1 through 25, inclusive

Defendant(s)

CASE NUMBER: **C-08-00836-SI**

NOTICE OF DISMISSAL BY PLAINTIFF
Rule 41(a)(1) F.R.Civ.P.

PLEASE TAKE NOTICE:

☐ The above-entitled action is

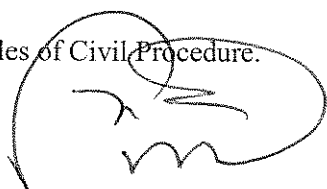
or

☒ Defendant(s) **As to defendant, SUPERIOR FIREPLACE COMPANY, ONLY**

hereby dismissed by the plaintiff(s), pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

are

Dated: August 18, 2008


 Plaintiff / Attorney for Plaintiff

KIRK J. WOLDEN

THIS NOTICE MAY BE FILED AT ANY TIME BEFORE SERVICE
 BY THE ADVERSE PARTY OF AN ANSWER OR OF A MOTION
 FOR SUMMARY JUDGMENT, WHICHEVER FIRST OCCURS.

NOTICE OF DISMISSAL BY PLAINTIFF
 (Rule 41(a)(1), F.R.Civ.P.)